

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA**

ALONZO AUSTIN, Executor for)	
Ruth H. Lewis, Estate,)	
)	
Plaintiff(s),)	
)	
vs.)	Civil Action No.
)	3:07-CV-138-MHT-WC
MODERN WOODMEN OF)	
AMERICA,)	
et al,)	
)	
Defendant(s).)	

**SUPPLEMENTAL AFFIDAVIT OF JUDY GACKLE IN SUPPORT
OF THE MOTION TO DISMISS OF DEFENDANT,
MODERN WOODMEN OF AMERICA**

STATE OF ILLINOIS)
)
ROCK ISLAND COUNTY)

Before me, the undersigned authority in and for said county in said state, personally appeared Judy Gackle, who, being known by me and first duly sworn and placed under oath, deposes and says as follows:

1. My name is Judy Gackle. I am Claim Department Manager for Modern Woodmen of America ("Modern Woodmen"). In that capacity, I have personal

knowledge of the matters contained in this Affidavit and I have authority to make this Affidavit.

2. This affidavit is submitted in order to supplement my previous affidavit given in this cause on March 15, 2007. On October 31, 2005, Modern Woodmen of America remitted \$23,136.45 to the State of Alabama Treasury Department, Unclaimed Property Division. Attached hereto as Exhibit A is an Unclaimed Property Summary Listing ("the listing") submitted by Modern Woodmen to the Treasury with the remittance of \$23,136.45. The listing shows that the \$23,136.45 amount was divided among four accounts, and that \$21,280.21 was remitted as property owned by Alonzo Austin. The sum of \$21,280.21 was the amount owed as death benefits plus accrued interest under Modern Woodmen Certificate Number 6737108 at the time said sum was remitted to the Alabama Treasury Department Unclaimed Property Division on October 31, 2005.

FURTHER THE AFFIANT SAYETH NOT.

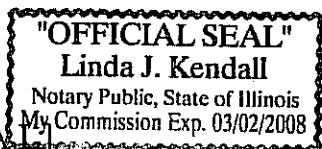


Judy Gackle

STATE OF ILLINOIS)
)
ROCK ISLAND COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Judy Gackle, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 22nd day of March, 2007.



[S E A L]

Linda J. Kendall
Notary Public
My Commission Expires: March 2, 2008

/s/ Charles D. Stewart
Charles D. Stewart (ASB-7467-T63C)
Attorney for Defendant, Modern Woodmen of
America

OF COUNSEL:

SPAIN & GILLON, L.L.C.
2117 2nd Avenue North
Birmingham, AL 35203
(205) 328-4100
(205) 324-8866 (fax)
E-mail: cds@spain-gillon.com

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2007, a copy of the foregoing pleading was electronically filed with the Clerk of the Court using the Electronic Filing System which sends notification of such filing to counsel of record in this cause and that those not registered with electronic notification have been served by U.S. Mail.

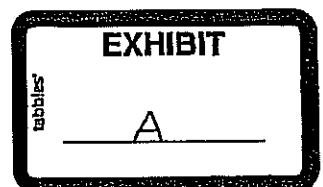
/s/ Charles D. Stewart
Of Counsel

Unclaimed Property Summary Listing

MODERN WOODMEN OF AMERICA 2005 AL

Printed: 10/19/2005 10:29:18 AM

	<u>Prop Type</u>	<u>Primary Owner</u>	<u>\$ Remitted</u>	<u>Shares Remitted</u>	<u>Tangible Box</u>
1	IN07	AGGREGATE 1 DIVIDEND	\$1.15	0.0000	
2	IN05	AGGREGATE 52 PREMIUM REFUNDS	\$596.99		
3	IN03	AUSTIN, ALONZO	\$21,280.21		
4	IN03	ESTATE OF HAROLD LOWE	\$1,258.10		
Totals:			\$23,136.45	0	0 Boxes



Unclaimed Property Detailed Listing

MODERN WOODMEN OF AMERICA 2005 AL

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1)	Prop Type: IN07	Last Trans. Dt.: 05/18/2000	Acct. #:	Check #:	Int. Rate:	0.00
	\$ Reported: \$1.15	+ \$ Addition: \$0.00	- \$ Deduction:	\$0.00 = \$ Remitted: \$1.15		
	Owner Type: AG	Relation: PA	Tax ID #:	DL of Birth: / /		
	Owner Name: AGGREGATE 1 DIVIDEND	Address: AL				
2)	Prop Type: IN05	Last Trans. Dt.: 06/12/2002	Acct. #:	Check #:	Int. Rate:	0.00
	\$ Reported: \$596.99	+ \$ Addition: \$0.00	- \$ Deduction:	\$0.00 = \$ Remitted: \$596.99		
	Owner Type: AG	Relation: PA	Tax ID #:	DL of Birth: / /		
	Owner Name: AGGREGATE 52 PREMIUM REFUNDS	Address: AL				
3)	Prop Type: IN03	Last Trans. Dt.: 06/09/2005	Acct. #:	Check #:	Int. Rate:	0.00
	\$ Reported: \$11,774.45	+ \$ Addition: \$9,606.76	- \$ Deduction:	\$0.00 = \$ Remitted: \$21,280.21		
	Owner Type: 99	Relation: BF	Tax ID #:	DL of Birth: / /		
	Owner Name: AUSTIN, ALONZO	Address: 1321 OLIVER-CARLIS ROAD TUSKEGEE AL 36083				
4)	Prop Type: IN03	Last Trans. Dt.: 05/20/2004	Acct. #:	Check #:	Int. Rate:	0.00
	\$ Reported: \$1,012.54	+ \$ Addition: \$245.56	- \$ Deduction:	\$0.00 = \$ Remitted: \$1,258.10		
	Owner Type: 99	Relation: BF	Tax ID #:	DL of Birth: / /		
	Owner Name: ESTATE OF HAROLD LOWE	Address: 1008 BASSWOOD CIRCLE FULTONDALE AL 36088				
Totals: Property Count:		4	\$ Remitted:	\$23,136.45	Shares Remitted:	0